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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,201	07/30/2003	Sandra Rinaldo	P/2528-11	1992
2352	7590	07/27/2004	EXAMINER	
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			GIMIE, MAHMOUD	
			ART UNIT	PAPER NUMBER

3747

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/630,201	RANALDO ET AL.	
	Examiner	Art Unit	
	Mahmoud Gimie	3747	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/25/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Tokuo et al (6,701,898).

Tokuo discloses a fuel injection system of the common rail type comprising a plurality of injectors (54), a common channel (53) that supplies the fuel under pressure to the injectors (54), a high-pressure pump (1), which supplies fuel to the common channel (53) and is provided with a device (suction valve) for regulating the flow rate and a control unit (57) capable of keeping the pressure of the fuel within the common channel (53) moment by moment, equal to a desired value that generally varies over time; the control unit (53) being coupled to the regulation device (suction valve) in order to control the flow rate of the high- pressure pump (1) so as to supply the common channel (53), moment by moment, with the amount of fuel required in order to have the desired value for pressure inside said common channel (53); the control unit (57) comprising a sensor (56) that is capable of recording the value for the pressure of the fuel inside the common channel (53), and is capable of regulating the flow rate of the high-pressure

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pump (1) by means of a feedback control using as a feedback variable the value for the pressure of the fuel inside the common channel (53); the high-pressure pump (1) comprising at least one cylinder provided with a piston (2) having an alternating motion inside the cylinder, an intake channel (91), a discharge channel (11) connected to the common channel (53), an intake valve (suction valve) coupled to the intake channel (9,10) and capable of allowing a flow of fuel to pass into the cylinder, and a single-direction delivery valve (6) coupled to the discharge channel (11) and capable of allowing a flow of fuel only out of the cylinder (12), the regulation device (suction valve) being coupled to the intake valve (9,10) in order to keep the intake valve open when the piston (2) is in a compression phase and therefore to allow fuel to flow back out of the cylinder through the intake channel, the intake valve comprising a valve body (5) moveable along the intake channel and a valve seat that is capable of being acted upon in a fluid-tight manner by the valve body and is arranged at the end of the intake channel opposite the end communicating with the cylinder: the regulation device comprising a control member (91) that is coupled to the valve body (5) and is moveable between a passive position, in which it allows the valve body (91) to act in a fluid-tight manner upon the valve seat, and an active position, in which it does not allow the valve body (5) to act in a fluid-tight manner upon the valve seat, the regulation device (suction valve) comprising an electromagnetic actuator that is coupled the control member (91) in order to move said control member (91) between the passive position and the active position; the system being characterized by the fact that the

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electromagnetic actuator is driven by means of a pulse of current of short and constant duration.

With regard to claims 2-8, see above and figures 1-6.

**Conclusion**


3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references show common rail systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mahmoud Gimie whose telephone number is 703-305-1037. The examiner can normally be reached on Tuesday-Friday between 7 a.m. -3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Yuen can be reached on 703-308-1946. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MG

  
MAHMOUD GIMIE  
PRIMARY PATENT EXAMINER  
ART UNIT 3747